

OFFICIAL REPORT OF PROCEEDINGS

BEFORE THE

NATIONAL LABOR RELATIONS BOARD

REGION 10

In the Matter of:

Amazon.com Services, LLC, Case No. 10-RC-269250

Employer,

and

Retail, Wholesale and
Department Store Union,

Petitioner.

Place: Atlanta, Georgia (via Zoom Videoconference)

Dates: May 14, 2021

Pages: 792 through 846

Volume: 6

OFFICIAL REPORTERS

eScribers, LLC

E-Reporting and E-Transcription
7227 North 16th Street, Suite 207
Phoenix, AZ 85020
(602) 263-0885



UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD

REGION 10

In the Matter of:

AMAZON.COM SERVICES, LLC,

Employer,

and

RETAIL, WHOLESALE AND
DEPARTMENT STORE UNION,

Petitioner.

Case No. 10-RC-269250

The above-entitled matter came on for hearing, via Zoom videoconference, pursuant to notice, before **KERSTIN MEYERS**, Hearing Officer, at the National Labor Relations Board, Region 10, Peachtree Summit Federal Building, 401 W. Peachtree Street, NE, Suite 2201, Atlanta, Georgia 30308, on **Friday, May 14, 2021, 10:28 a.m.**



A P P E A R A N C E S

On behalf of the Employer:

HARRY I. JOHNSON, III ESQ.

MORGAN, LEWIS & BOCKIUS, LLP

2049 Century Park East

Suite 700

Los Angeles, CA 90067

Tel. (310)255-9005

Fax. (310)907-1000

DAVID R. BRODERDORF, ESQ.

MORGAN, LEWIS & BOCKIUS, LLP

1111 Pennsylvania Avenue, NW

Washington, DC 20004

Tel. (202)739-5817

Fax. (20)739-3001

On behalf of the Petitioner:

GEORGE N. DAVIES, ESQ.

RICHARD P. ROUCO, ESQ.

QUINN, CONNOR, WEAVER, DAVIES & ROUCO, LLP

2-20th Street North

Suite 930

Birmingham, Al 35203

205-870-9989

Tel. (205)870-9989

Fax. (205)803-4143

I N D E X

<u>WITNESS</u>	<u>DIRECT</u>	<u>CROSS</u>	<u>REDIRECT</u>	<u>RECROSS</u>	<u>VOIR DIRE</u>
Kevin Jackson	796	819,832	836		

E X H I B I T S

<u>EXHIBIT</u>	<u>IDENTIFIED</u>	<u>IN EVIDENCE</u>
Union:		
U-20	841	842
U-21	841	842
U-22	841	842
U-23	841	842
U-24	841	842
U-25	841	842
U-26	841	842
U-27	841	842
U-28	841	842
U-29	841	842

1 P R O C E E D I N G S

2 HEARING OFFICER MEYERS: So we are going on the record.

3 UNIDENTIFIED SPEAKER: Okay.

4 HEARING OFFICER MEYERS: Mr. Rouco, can you call your next
5 witness, please?

6 MR. ROUCO: Yes. I call Kevin Jackson.

7 Whereupon,

8 KEVIN JACKSON

9 having been duly sworn, was called as a witness herein and was
10 examined and testified, telephonically as follows:

11 HEARING OFFICER MEYERS: Excellent. Thank you, sir. I
12 appreciate it.

13 DIRECT EXAMINATION

14 Q BY MR. ROUCO: Mr. Jackson, where are you currently
15 employed?

16 A I'm currently employed with Amazon.

17 Q What location?

18 A Birmingham. Bessemer, which is known as BHM1.

19 Q How long have you worked at BHM1?

20 A 14 months.

21 Q And what is your job at BHM1?

22 A My job is safety coordinator. We coordinate with safety,
23 which is called Space Force, which is, in detail, we enforce
24 the six-foot rule, make sure people up -- keep masked up, and
25 make sure that the area of the building is cleaned and

1 disinfected.

2 Q Okay. Mr. Jackson, I don't want to pry too much into your
3 personal life, but were you just recently in the hospital?

4 A Yes, I was.

5 Q Okay. And you're feeling good enough to testify today; is
6 that right?

7 A Yes.

8 Q Okay. Now, how long have you been in this job, the safety
9 coordinator job?

10 A 14 months. Ever since I started.

11 Q And are there other safety coordinators that work with
12 you?

13 A Yes, it is.

14 Q And how many other safety coordinators work as part of
15 your team, if you know?

16 A We have around ten.

17 Q And are you assigned to a specific area in the fulfillment
18 center?

19 A Well, no. We're actually -- we're assigned all over the
20 building, depending on where -- where we're needed, but
21 we're -- actually, they assign us to -- to the area where they
22 have A-Box cameras, and which is in detail -- it monitors the
23 associates who are -- who are doing the six-foot rule or not,
24 and if it's not -- if they don't comply, then the camera will
25 go off, and we would find out through our PA manager where the

1 locations of the cameras, where the -- what we call hits,
2 where hits took place and things like that.

3 Q And then when you're notified by the PA, then that's to
4 process the system; is that right?

5 A Yes. Yes.

6 Q For a manager --

7 A Uh-huh.

8 Q -- that there's been an incident. What does -- what do
9 you do as a safety coordinator?

10 A What we would have to do, we would have to tighten up in
11 that area, and to make sure that everyone -- that everyone
12 cooperates with the rule. If not, then what would happen is
13 that we would have to ask for their badge of login information,
14 and we would turn it into Safety, and they would take it from
15 there.

16 Q Okay. Now, what schedule do you work?

17 A My schedule is from 6 to 5:30 Sunday through Wednesday.

18 Q Okay. I'm going to interrupt here for a second.

19 MR. ROUCO: Madam Hearing Officer, are you --

20 HEARING OFFICER MEYERS: I am. I'm here.

21 MR. ROUCO: You're still here? Okay.

22 HEARING OFFICER MEYERS: Yes I'm sorry. Was I not --

23 MR. ROUCO: It's a black screen, and I just wasn't sure.

24 HEARING OFFICER MEYERS: Oh, it's a black screen?

25 MR. ROUCO: Yes, ma'am.

1 MR. GILBERT: It's not a black screen on my end. I can
2 see her.

3 MR. ROUCO: Okay. Well, I mean, we -- I don't mind
4 proceeding. I just wanted to make sure.

5 HEARING OFFICER MEYERS: I can see everybody, and I can
6 hear everybody.

7 MR. ROUCO: Okay.

8 HEARING OFFICER MEYERS: All right. Fair enough.

9 Q BY MR. ROUCO: Now, I'm sorry. You -- that last question
10 I asked you, what is your schedule, and did you say Sunday
11 through Wednesday?

12 A Yes, I did. 6:30 till 5:30.

13 Q And can you just briefly describe what your typical day is
14 like as a safety coordinator?

15 A Once we get there we have to make sure that the employees
16 that are coming in, make sure their temperature check, make
17 sure they're six feet apart.

18 And once they go to their area -- to their designated work
19 assignments, then we would have a meeting which would -- we
20 would go over the scores for the previous day or for the
21 previous shift, and we would tackle any issues that we have as
22 far as, like, the dealing with the associates and things like
23 that.

24 And then we would give our -- well, we -- for their -- for
25 the break, for the associate break, we will be assigned certain

1 areas. We will get our assignment, and then we will proceed
2 from that point.

3 Q Is it fair to say that you have interactions with
4 employees throughout the fulfillment center?

5 A Yes, I do.

6 Q And you work with -- you have interactions with employees
7 who work in all the different departments --

8 A Yes, I do.

9 Q -- fulfillment center; is that right?

10 A Yes.

11 Q Okay. Now, have you ever -- have you ever had a
12 conversation with an employee relations person about the Union?

13 A Yes. I can recall it was back in February. It was on a
14 Friday, actually, and I was on the second floor monitoring an
15 area. The associate walked -- came to me, and she spoke and I
16 spoke, and she said, can I ask you a question? I said, sure.

17 And she said, can -- she said I just want to ask you off
18 the record. I said, sure, go ahead. Off -- if it's off the
19 record, yeah. So she asked me, how do I feel about the Union?
20 I was not -- I said well, I said, I have no dither which way or
21 the other. And then she said, well, what are your -- what are
22 your -- what -- she says chance you think of it coming in here.

23 And so I told her, I get -- I was quoting the Bible verse.
24 And I told her, I said, well, when two or more people come in
25 together, and they come to agreement, I say, God will be in the

1 midst of it. And she said, and I quote, "That's not what I
2 asked you." And not -- and I'm sorry. "That's not the answer
3 I was looking for."

4 And so she said -- she said, like I say, this is off the
5 record. I said, well, off the record, once again, if two or
6 more people come together in an agreement, then God will be in
7 the midst.

8 So she walks off and she goes down the hall and goes about
9 her business.

10 Q Now, how do you know this person was with employee
11 relations?

12 A Oh, she had -- she was wearing a green and black vest, and
13 it had the writing on the back of her vest that says, "Employee
14 Relations".

15 Q Okay. And where did this interaction occur?

16 A It occurred on the second floor. It was -- it was, like,
17 on the -- I said it was -- said on the east side, as they call
18 it, and in the -- I was out in that -- in that area there.

19 Q And do you recall what time of day it was?

20 A It was in the evening. It was, say, around 8:30, 8:15.
21 Between 8:15 and 9 o'clock, around that time.

22 Q And were there other coworkers present when you had this
23 interaction?

24 A Yes, it -- yes, there -- yes, there was. And they were
25 surprised that she approached me --

1 Q Okay.

2 A -- with it, and they were, like, well, wow. She talked to
3 you, too? I say tried to, I said, but you know, I didn't --
4 I'm not going to give an answer, you know.

5 Q And do you recall this person's name?

6 A No, I don't.

7 Q Now, have you ever witnessed other coworkers being asked
8 by employee relations or by supervisors about their support for
9 the Union?

10 A I've seen -- I've seen them talk to them, but now
11 verbatim, I can't say what was being said. But they would go
12 around asking people, are they okay? Are they fine? Is -- are
13 they having any problems? Things like that. And they will
14 always say, well, you can always count on us if you -- if you
15 have any issues.

16 Q Now, okay. And do you recall anything else?

17 A I -- I can -- I also recall them saying that -- that we
18 always, you don't have to pay for no consultation, because we
19 do -- everything we do is free.

20 Q And okay. Now, during the -- during the campaign, do you
21 recall that there were mandatory meetings held?

22 A Yes.

23 Q And where were these meetings held?

24 A They were held on the second -- on the third floor, near
25 the third-floor break room.

1 Q And how many meetings did you attend?

2 A I attended two.

3 Q And can you tell me how many speakers typically spoke at
4 the meetings you attended?

5 A I'd say around two, if not three.

6 Q Were there any other management type personnel in the
7 meetings, if you recall?

8 A It was HR representatives were there, about -- I would say
9 about two of them will be there.

10 Q And were these, the individuals, scanning you in? Did
11 they scan your badge when you came into the meeting? Do you
12 recall?

13 A No, they -- they never did not. At least not me. We
14 would go in. We would have a seat. And we would have to fill
15 out, you know, write our names down on a piece of paper,
16 letting them know that we were -- we attended. Things like
17 that. And they would also -- they would have their laptops
18 out, but I'm not sure what was being done on them or anything
19 like that.

20 Q Okay. Now, I omitted to ask you this, but as a safety
21 coordinator, do you wear a vest?

22 A Yes. We are -- we are -- we're supposed to wear a white
23 vest with green lining, but for me, they never had one my size,
24 so they never did have one for me. But everyone knew that I
25 was a part of Safety, because I would always -- at first, we'd

1 walk around, and we'd, you know, speak with our level men.

2 They would -- they would know my presence by when they -- me
3 walking with them.

4 Q Now, to the best of your recollection. what do you recall
5 was discussed during these mandatory meetings?

6 A There was discussed about -- they were discussing about
7 what would happen if the Union were to come in. They would
8 say -- they would say that in the event of a strike, then our
9 benefits would -- everything will be cut off until the strike
10 is over. And would say, they were also discussing about what
11 the Union would be spending their money on. Any dues that we
12 pay, what they would be paying. What would the money be spent
13 on? It won't be returning to us.

14 Q And do you recall anything else?

15 A I also can recall them showing clips from different unions
16 that -- that were exploiting their employees -- the -- their
17 employees or things like that. And they was saying that this
18 what -- what would happen if this Union were to come in as
19 well.

20 Q The unions would exploit them if they were voted in? Is
21 that what --

22 A Yes.

23 Q I heard you correctly?

24 A Yes.

25 Q Now, during the campaign, did anyone connect with

1 management asking you if there's anything they could do for
2 you?

3 A Yes. The employee relations team would then, and
4 sometimes managers too. They would come around saying, asking
5 you, am I okay? And I'll say, yes, whatever have you. And
6 they say, well, if there's anything you need, if you have any
7 problems, just come let us -- feel free to come talk to us.

8 Q Now, and they did this during the campaign; is that right?

9 A Yes.

10 Q Was this -- was this different than what they had done
11 prior to the campaign?

12 A Way different.

13 Q How? How was it greatly different, if you can tell me?

14 A Because they never asked us if we -- we having any
15 problems.

16 Q Now, did anyone offer you a "Vote No" pin or a "Vote No"
17 shirt?

18 A Yes. Once --

19 Q When did that happen?

20 A That happened right before the start of the shift. They
21 had, like, tables, and things set up outside with music. And
22 when you come up, you will -- you'll get a blue T-shirt and
23 a -- a "Vote No" pin, stuff like that.

24 Q okay.

25 A But I -- well, as far as T-shirts, I never got one because

1 there was never one in my size -- in my size, but did get a
2 "Vote No" pin.

3 Q Now, do you recall whether anything was handed out, in
4 terms of shirts, pins --

5 A Yes.

6 Q -- tag -- car tag -- car tags, whether they were being
7 handed out at the meetings that you attended?

8 A Huh-uh, no, not at the meetings.

9 Q Okay.

10 A We would just get, like, forms and -- and she saw -- with
11 the information -- excuse me, with the information on -- on
12 the -- on the Union. And what Amazon would offer versus them.

13 Q Okay.

14 A Things like that.

15 Q Now, you were saying that -- that they were handing out
16 shirts and pins. Did they hand out other kinds of things
17 during the campaign, other "swag", for lack of a better word?

18 A As far as the campaign goes, that's the only thing that
19 they would give out. But they also, you know, at different
20 times, give out like popsicles or candy, things like that. But
21 they were do -- actually, they were doing that way before
22 the -- the campaign started of that --

23 Q Now, are you aware of a mailbox being installed at the
24 fulfillment center?

25 A Yes, I -- yes, I am.

1 Q And did you talk to anyone in management as to why that
2 mailbox was installed?

3 A No, but we were -- everyone was curious, but we -- I --
4 I've never spoken to anyone in management about it.

5 Q And did anyone -- do you recall speaking to anyone in
6 management or an employee relations person encouraging you to
7 use the mailbox?

8 A Yes, they were telling us -- they even had signs and
9 things all up throughout the facility, in bathrooms in the
10 stalls, in the breakroom on tables, and on the walls, that the
11 mailbox was there for our use. We can -- we can submit our
12 ballots here, and it'll -- they will ensure that the ballots
13 would be mailed.

14 Q Did anyone during the campaign approach you and ask you,
15 and by anyone, I mean, anyone connected with management or
16 employee relations --

17 A Uh-huh.

18 Q -- or HR, approach you to ask you whether you had received
19 a ballot?

20 A Yes. An employee relations individual asked me have I
21 received it.

22 Q Did they ask --

23 A And --

24 Q -- did they say anything else?

25 A Yes, they asked me did -- have I -- have I turned it in

1 yet, and I told them no.

2 Q Okay. Any other questions -- any -- did they offer any
3 assistance with respect to the ballots?

4 A They -- they asked me if they could -- did -- did I have
5 any issue -- any problems with -- with filling out the ballot
6 or mailing it, and I told them no.

7 Q At any other point, had anyone asked you if you've
8 actually mailed the ballot; do you recall that?

9 A I had several people -- several managers were asking me
10 have you mailed your ballot in or have you mailed it. And --

11 Q Do you know -- do you know whether they made -- were --
12 were they -- the -- the managers that asked you whether you
13 mailed it in, are you aware of whether they were making any
14 notes?

15 A From -- no. From what I understand, some of them, they
16 had their laptops with them. Others, they would just -- the
17 didn't have anything with them.

18 Q Okay. Now, do you -- had you heard about a program
19 referred to "The Offer"?

20 A Yes, I've heard it.

21 Q Do you recall when it was first presented to employees at
22 BHM1?

23 A It was -- it was at the beginning of February, to be
24 honest with you. We received it in our A to Z app. And it
25 detailed that if you wanted to leave or -- or felt

1 uncomfortable working with Amazon, they had a one-time offer of
2 \$1,000, that they would give you. And you sign a form, and
3 then you'll be separated from the company, at that point.

4 Q Are you aware of any employees who accepted "The Offer"?

5 A No, not to my knowledge.

6 Q Do you know whether you were eligible for it?

7 A Yes. They said it -- they said that you would have to --
8 it was -- it was offered to everyone that was there, even if
9 you -- but you -- but like, so if you just started, no. You
10 would have to be -- you would have had to been there for, like,
11 more than 30 days.

12 Q And was -- was that your understanding that -- that --
13 that you had to be there 30 days or more?

14 A Yes.

15 Q How did you come to that understanding?

16 A Well, actually, because they had it on the -- on the app,
17 and they went into detail -- more detail with it than they had,
18 like, posted up. And it would be in the HR for that.

19 Q Did -- all right. Well, let me --

20 MR. ROUCO: Madam Hearing Officer, can you have the
21 witness -- I mean, can you ask the bailiff to display, I
22 believe, it's Exhibit 18? It's "The Offer" exhibit. Union 18,
23 I apologize.

24 HEARING OFFICER MEYERS: Mr. Bailiff, can you display
25 Union 18, please?

1 Q BY MR. ROUCO: Mr. Jackson, are you able to see the
2 document that I've marked, that's been previously identified
3 and admitted as Union 18?

4 A Yes.

5 Q Do you recognize this document?

6 A Yes, I -- I definitely do.

7 MR. ROUCO: Okay. If you scroll down -- can you scroll
8 down to the bottom, to the -- to the FAQ portion of it?

9 Q BY MR. ROUCO: Mr. Jackson, if you read this, the question
10 is, is "How much do I receive if I participate"; do you see
11 that?

12 A Yes.

13 Q The answer here is "The gross amounts are below".

14 A Uh-huh.

15 Q And the net -- and "The net amount received would be
16 reduced by applicable taxes and required deductions."

17 A Uh-huh. Exactly.

18 Q And then it goes on to say, "Regular hourly blue-badge
19 Amazon associates who have completed one continuous year as a
20 blue-badge employee are eligible"; do you see that?

21 A Right. Yes, I -- yes, I do.

22 Q So --

23 A But at the time, when they -- on our app, it -- it -- it
24 told us 30 days. You had to be there 30 days.

25 Q Okay.



1 A But I'm seeing it on here too as a -- as a continuous
2 year.

3 Q Okay. So it's your recollection though, that it was --
4 that the requirement was just simply 30 days?

5 A Exactly.

6 Q Okay.

7 MR. ROUCO: Okay. I have nothing further, thank you. I
8 hope you feel better, Mr. Jackson.

9 And thank you for taking the time to -- to make yourself
10 available to testify.

11 THE WITNESS: No -- no problem. But I -- can I -- also --
12 also, I have one more thing I want to add.

13 MR. ROUCO: All right. Go ahead.

14 THE WITNESS: What I have -- what I did notice is that as
15 far as the mailbox goes, I noticed that Security had keys.

16 MR. ROUCO: Okay. I'm sorry, sir. So let me -- let me
17 rephrase the --

18 Q BY MR. ROUCO: With respect to the mailbox, what is it
19 that you noticed?

20 THE COURT REPORTER: I apologize for interrupting, but
21 this is the court reporter, and I see Mr. Johnson. I'm not
22 sure if you're speaking, your lips are moving, but I don't hear
23 anything.

24 MR. JOHNSON: Well, I'm not on mute. Can you all hear
25 you?

1 THE COURT REPORTER: I can hear you now.

2 HEARING OFFICER MEYERS: We can hear you fine.

3 MR. JOHNSON: Okay. Well, I said there's no question
4 pending several times.

5 THE COURT REPORTER: Okay. I didn't get that.

6 HEARING OFFICER MEYERS: We could not hear you. You
7 were -- you were not on audio at the time.

8 MR. JOHNSON: Okay. I think --

9 MR. ROUCO: Well -- I'm sorry.

10 HEARING OFFICER MEYERS: I -- I am going to have to
11 sustain the objection. We're not going to have a free-flow
12 testimony.

13 Do you have any follow-up questions, Mr. Rouco, before you
14 release the witness?

15 MR. ROUCO: Yes.

16 Q BY MR. ROUCO: Mr. -- Mr. Jackson, did you -- did you
17 witness anything about the -- the mailbox?

18 A Yes. I seen the security go out several times, locking
19 and unlocking it. And I've noticed that they had it -- the --
20 the keys to the mailbox stashed in their -- in their area.

21 Q Okay. Anything else that you noticed about the mailbox
22 that you think is --

23 A Well, for -- so for a period of time, they had it, like,
24 hidden, but they had -- it was covered by sort of a like a
25 banner. But it had messages on it saying that this is where

1 you can drop your ballots off, feel free to do so.

2 Q Okay.

3 A And that your ballot is safe, no worries. It won't be
4 contaminated with -- but as I was saying, that I saw the -- saw
5 Security several times with -- with the key.

6 Q Okay. Did you ever witness them opening the box?

7 A Wit -- yes, on one occasion I did.

8 Q Okay.

9 A And that was when I was -- I was leaving work.

10 Q Do you recall what date that was on?

11 A It was right -- I think it was right before -- towards the
12 end of -- it was towards the end of January, I believe.

13 Q Okay. And -- okay. Are -- are there security -- to your
14 knowledge, are there security cameras that -- that record
15 what's happening in the parking lot?

16 A Yes, there are cameras all over, on each -- on each
17 light -- on each light post, there are cameras.

18 Q Okay. And do you know whether there were any cameras that
19 were -- that could capture what was going on around the mailbox
20 or the tent?

21 A Yes, yes.

22 MR. ROUCO: Mr. Jackson, again, thank you. I -- I pass
23 the witness.

24 MR. JOHNSON: Hey, Madam Hearing Officer. I think we need
25 30 on him because of the last questions.

1 HEARING OFFICER MEYERS: You need what?

2 MR. JOHNSON: 30 minutes. Can you hear me?

3 HEARING OFFICER MEYERS: 30? 30?

4 MR. JOHNSON: Yes.

5 HEARING OFFICER MEYERS: Yes. Okay. I -- I -- based on
6 the last few questions. I have a couple of questions before we
7 take a -- a recess for you to prepare.

8 Mr. Jackson, you say you saw the security opening the
9 mailbox?

10 THE WITNESS: Yes.

11 HEARING OFFICER MEYERS: Have you seen a picture of the
12 mailbox?

13 Can we put up Union Exhibit -- can you help me out here,
14 Richard? Which one is it? Or actually --

15 MR. ROUCO: Oh, the mailbox?

16 HEARING OFFICER MEYERS: -- it's Employer's --
17 Employers -- the Employer's exhibit is better.

18 MR. ROUCO: It's Employer's exhibit, yeah.

19 HEARING OFFICER MEYERS: Mr. Johnson, which one is it? Do
20 you re -- do you know off the top of your head?

21 MR. JOHNSON: Okay. We were -- sure. I think Employer 5
22 is the closest view of the mailbox that we have that is --

23 HEARING OFFICER MEYERS: Mr. Bailiff, could you put up
24 Employer's 5?

25 THE WITNESS: Yep, that's it.



1 HEARING OFFICER MEYERS: All right. So -- and you see on
2 there, how many mailboxes with keys do you see on that?

3 THE WITNESS: There's 12, but then there's one right at
4 the -- at the 1P see there.

5 HEARING OFFICER MEYERS: Okay. And of those boxes, did
6 you -- which one did you see the security guards opening?

7 THE WITNESS: I saw them open the 1P, and I also -- they
8 was -- they had it open for like, about, like, a minute or two
9 or something like that. It seemed like they were -- that they
10 were looking for something. I'm not sure. But as far as the
11 other mailboxes go, I didn't see them opening any of those.

12 HEARING OFFICER MEYERS: Okay. And you only saw this
13 happen on one occasion?

14 THE WITNESS: Yes, ma'am.

15 HEARING OFFICER MEYERS: Was anybody else around when you
16 saw this happen?

17 THE WITNESS: No, because actually, when I leave, I'm
18 the -- I'm the last of the night shift that leaves in the
19 morning because the morning shift would be coming in that that
20 time. But wasn't no one around me when I saw it.

21 HEARING OFFICER MEYERS: Okay. So the morning shift
22 wasn't coming in -- you didn't see anybody from the morning
23 shift coming in?

24 THE WITNESS: Yes, but not walking past the -- the
25 mailbox. They were, like, parked -- like, parking behind it --

1 HEARING OFFICER MEYERS: Okay.

2 THE WITNESS: -- and things like that. And if they had to
3 come a -- across, I mean, in the other section where the
4 mailbox is, they would -- they would drive past it. But as far
5 as like, during that day, I didn't see anyone coming that way
6 because everyone was parked behind it.

7 HEARING OFFICER MEYERS: So let's talk a bit -- a little
8 bit about what you saw the security guards doing. You say you
9 saw them with a key, you saw them open the box. How many
10 security guards were there?

11 THE WITNESS: It was two.

12 HEARING OFFICER MEYERS: Do you know the names of these
13 security guards?

14 THE WITNESS: No, not right off. I don't.

15 HEARING OFFICER MEYERS: Can you describe what they look
16 like?

17 THE WITNESS: One was white and heavy-set. And there was
18 a -- another one was a -- was a black male, had, like, a
19 scraggly haircut. And they were wearing their security guard,
20 you know, coats, and things like that.

21 HEARING OFFICER MEYERS: Okay. And were they -- where
22 were they standing in relationship to the mailbox?

23 THE WITNESS: They were standing, like, well, they were
24 standing and one -- the heavy-set one was in the front, and
25 then -- and the -- the other guy, he was standing, like, on the

1 right side just looking out. But they were conversate -- they
2 were in a conversation while he was opening the box.

3 HEARING OFFICER MEYERS: Okay. I can't see -- we can't
4 see exactly what you're pointing at. Are you pointing at the
5 parking lot side or at the building side of that picture?

6 THE WITNESS: I was pointing to the parking lot side.
7 That's where they were. And that's what -- he would -- that's
8 where they had their conversate -- they were -- they were
9 conversating right there. And the guy was -- the heavy-set
10 guy, he was -- he actually was opening the mailbox. But what
11 he was getting out or was -- getting out or was looking for,
12 I'm not sure.

13 HEARING OFFICER MEYERS: Okay. So you couldn't see what
14 he was doing inside the mailbox?

15 THE WITNESS: No, ma'am.

16 HEARING OFFICER MEYERS: Okay. All right. Thank you very
17 much, Mr. Jackson. You are going to be subject to cross-
18 examination. So the Employer's attorneys are going to have
19 questions for you, but we're going to take probably about 30
20 minutes.

21 THE WITNESS: Okay.

22 HEARING OFFICER MEYERS: So if you could stay on the call,
23 but you could turn off your microphone and turn off your
24 camera. And then if you'll just come back --

25 Is 12:30 enough, Mr. Johnson?

1 MR. JOHNSON: Yes, Madam Hearing Officer.

2 HEARING OFFICER MEYERS: Mr. Johnson, yes?

3 MR. JOHNSON: Yes, Madam Hearing Officer.

4 THE WITNESS: Yes.

5 MR. JOHNSON: Can you not hear me?

6 HEARING OFFICER MEYERS: I -- I can hear you. I can
7 hear -- I'm sorry, I meant Mr. Jack -- I said Mr. Johnson, but
8 Mr. Jackson was saying something.

9 Is that -- can you take -- can you stay on for another 30
10 minutes?

11 THE WITNESS: Sure. Sure, I can.

12 HEARING OFFICER MEYERS: Okay. I just wanted to make sure
13 that you weren't telling me there was a problem.

14 All right. Mr. Johnson, yes, 30 minutes is enough?

15 MR. JOHNSON: Yes.

16 HEARING OFFICER MEYERS: Excellent. So we will reconvene
17 at 12:30. With that, we are in recess until 12:30 p.m. Eastern
18 Standard Time, which is 11:30 Eastern Daylight Time, and 11:30
19 Central Daylight Time. And we will see everybody back in about
20 30 minutes. Thank you so much.

21 THE WITNESS: Thank you.

22 (Off the record at 11:01 a.m.)

23 HEARING OFFICER MEYERS: All right.

24 All right. Mr. Jackson, just to remind you, you are still
25 under oath.

1 Mr. Johnson, do you have some questions for this witness?

2 MR. JOHNSON: Yes, I do. Thank you, Madam Hearing
3 Officer. Are we ready?

4 HEARING OFFICER MEYERS: We are ready. Please proceed.
5 Oh, on the record, if I didn't say that.

6 **CROSS-EXAMINATION**

7 Q BY MR. JOHNSON: Hello again, Mr. Jackson. I am Harry
8 Johnson, counsel for the Employer, Amazon. And I'll be asking
9 you a few questions. First off, how are you feeling today?

10 A I'm feeling fine.

11 Q Good. I'm sorry about your recent hospitalization. I
12 want to also thank you for your services on behalf of the
13 Amazon customers. Let me -- let me ask you about "The Offer",
14 because you testified about that. Do you recall that?

15 A Yes, I do.

16 Q Okay. So you testified that the details of the offer were
17 on the A to Z app; do you remember that?

18 A Yes.

19 Q So the best place to look to see what Amazon told you or
20 anybody else would be on that app, right?

21 A Correct.

22 Q Okay. And you also mentioned that there were some
23 documents posted up about "The Offer", that it -- am I correct?

24 A Yes.

25 Q And -- and those were out there for employees to review,

1 correct?

2 A That's correct.

3 Q And so those documents would be a good place to look too,
4 to find what the terms of the offer were, right?

5 A That's correct.

6 Q Okay. And isn't it true that Amazon told employees at
7 BHM1 to whom they communicated about the offer, that you all
8 had 30 -- the eligible employees had 30 days to accept "The
9 Offer"?

10 A Let me -- let me -- to my recollection, yes, I believe so.

11 Q Okay. So could it be that when you were testifying about
12 the 30 days, it was actually the 30 days to accept "The Offer",
13 instead of having to be eligible by working only 30 days?

14 A That -- that could possibly be a -- it could have been a
15 mix-up on my part, but I know I just saw 30 days.

16 Q Right. You knew -- you know you saw 30 days, but you're
17 not sure --

18 A Correct.

19 Q -- what it was in reference to?

20 A Correct.

21 Q Am I right?

22 A That -- that's correct.

23 Q And so let me ask you some questions about the -- your
24 testimony about the mailbox; do you remember that?

25 A Yes, sir.

1 Q Well, actually, let me ask you just some general
2 questions, so -- just so I understand. So did you work a 6:30
3 p.m. to a 5:30 a.m. shift?

4 A Yes.

5 Q Okay. So I have that right, and you wore a striped vest,
6 right?

7 A Yes.

8 Q And -- and that would be green stripes?

9 A It would be white -- it would be the vest with green
10 stripes, yes.

11 Q Okay. White -- white vest with green stripes. And the
12 safety coordinators were supposed to wear that vest, right?

13 A Yes, the safety coordinators wore green, green and blue,
14 if I'm not mistaken.

15 Q Oh, okay. So I'm sorry, I totally didn't understand your
16 testimony. So you were not a safety coordinator?

17 A No, I was part of the -- of the -- of the team that they
18 created which was called Space Force, that's what we were.

19 Q Okay. But you weren't considered to be a safety
20 coordinator?

21 A No, actually.

22 Q Okay. That's fine. And were the safety coordinators, you
23 know, did you consider the safety coordinator to be your
24 supervisor or a coequal worker?

25 A I would -- it would be coequal. We did have one, I think

1 there was a -- a manager that was over them, as who we reported
2 to. His name was -- was -- was Cody, at the time.

3 Q Okay. Did you know whether Cody was called a safety
4 coordinator or not?

5 A Yes, he was -- because he would always wear his vest every
6 day with "Safety" on it.

7 Q Okay. Did it say safety coordinator?

8 A It just had -- it just had "Safety".

9 Q Okay. Was it the same vest as the other safety
10 coordinators or -- or not?

11 A Yes, it -- it was the same.

12 Q Okay. So you could have safety coordinators, people
13 wearing that vest, that you considered to be a coworker, and
14 then you could have people wearing that vest who were a
15 supervisor?

16 A Cor -- correct.

17 Q Now --

18 A There were different -- there were different levels --

19 Q Got it.

20 A -- of management out there.

21 Q Got it. Okay. So let -- let's go to the mailbox. Do you
22 recall your testimony about the security guards that you saw
23 near the mailbox?

24 A Yes.

25 Q Okay. And you testified that happened in January 2021,

1 right?

2 A Yes.

3 Q Okay. And what -- can you describe the -- the clothing of
4 the security guards, like, what color jackets they were
5 wearing, just to --

6 A They were wearing --

7 Q -- you know, what they wear?

8 A They were wearing, like, their -- their black coats. They
9 would have, like, wore black trousers. And they would have,
10 like, brown or -- or tannish-color shirts.

11 Q Okay. Did they have any logos on any of those?

12 A Yes, there was.

13 Q Do you recall the name of the logo?

14 A Allied Security.

15 Q Okay. Allied Security. And that's why you thought they
16 were security guards, right?

17 A Yes.

18 Q Okay. And my understanding is you didn't -- don't know
19 their names, right?

20 A No, I don't.

21 Q So even as we sit here today, you couldn't give me a name,
22 right?

23 A No. I -- I would normally call them, you know, friend or
24 partner. That's how I greeted them, so.

25 Q Sure. I understand. So you don't know any nickname or

1 anything like that for them either?

2 A No. We weren't, like, on a -- we weren't, like, on a
3 personal basis or anything like that.

4 Q Got it. Okay. But they were both male, correct?

5 A Yes, correct.

6 MR. JOHNSON: Okay. And let me ask Madam Hearing Officer
7 if we can put up Employer Exhibit 5 again?

8 HEARING OFFICER MEYERS: Mr. Bailiff, could you put up
9 Employer Exhibit 5, please?

10 Q BY MR. JOHNSON: And so let me just ask you, Mr. Jackson,
11 were you -- this is the -- this is what the mailbox generally
12 looked like, right?

13 A Yes.

14 Q Okay. And was the yellow sticker on it?

15 A Not that I recall, because I wasn't paying attention to
16 the -- to the -- any stickers. I just knew the numbers.

17 Q Okay. You knew the numbers. So were you standing this
18 close to it or were you farther away?

19 A I was a bit farther away. I was, like, across from it
20 because that's where I was parked.

21 Q Okay. So would it be fair to say that you were in the row
22 of cars, let's -- let's say. So there's a row of cars close to
23 this mailbox and then --

24 A Uh-huh.

25 Q -- going away from the facility, and then there's another

1 row of cars. Were you in that second row?

2 A I was in the -- not in the -- not in the second row, but
3 like, in the third row behind that one --

4 Q Okay.

5 A -- facing the building.

6 Q Okay. So you were in the -- so you were three -- just so
7 I understand your testimony, so you're three rows of cars
8 behind this mail -- this spot, but you're facing it?

9 A Exactly.

10 Q Okay. Great. And so was the tent up or not at this time?

11 A It was -- it was -- it was up at the time, but they came
12 around and they -- and they went in. The -- the heavy-set guy
13 went in. And like I said, the other guy, he stood out.

14 Q Okay. So one guy was -- your testimony is one guy was
15 outside the tent and the other guy was inside the tent?

16 A Yes.

17 Q Okay. And the -- could he have opened the doors without
18 using a key? Did you see a key?

19 A That -- he would have to -- he would have had to have
20 had -- to have used one, because that was the only way I saw
21 that he opened it. And like I said, what -- what he was
22 getting out or putting in there, I'm not sure, because I
23 couldn't -- I didn't see what was he -- what was actually in
24 his hand or anything like that.

25 Q Right. Did you know whether or not Amazon actually

1 receives mail at this mailbox?

2 A No. I haven't -- I -- I didn't see anyone from the post
3 office drop anything off or pick anything up, no.

4 Q Right. But you don't know one way or another if the post
5 office actually delivered there, right?

6 A Correct. I didn't.

7 Q Okay. And so under that tent, is this happening at, like,
8 5 -- after 5:30, when you're getting off your -- your shift in
9 January?

10 A Yes.

11 Q Okay. And so there's -- you know, it's kind of dark
12 inside the tent, right?

13 A Yes, it is kind of dark. Yes.

14 Q Okay.

15 A But I had my headlights on. When I -- when I start my
16 car, my headlights automatically come on.

17 Q Okay. So that helped with some illumination, right?

18 A Yes.

19 Q Okay. But the mailbox is in the back of the tent, right?

20 A Yes, it's in -- it's in the -- it's in the back of it, but
21 it still was visible that I saw.

22 Q Right. Well, let me ask you about that so I understand
23 correctly what this situation looked like.

24 MR. JOHNSON: If you can give -- just give me a moment,
25 Madam Hearing Officer, so I can figure out the right exhibit.

1 Okay. So can you put up Union Exhibit 9, please?

2 Q BY MR. JOHNSON: Okay. So this -- that's the tent,
3 correct --

4 A That's correct.

5 Q -- in Union Exhibit 9? Okay. And so this -- and -- and
6 so this officer was standing in front of the -- all these mail
7 doors, right?

8 A Yes -- yes, he were (sic).

9 Q Okay. Let me ask you some questions about the camera.

10 A Okay.

11 Q And so I'm sorry, I may have misunderstood. But you said
12 this was at the end of your shift?

13 A Yes, it was.

14 Q Okay. And that's 5:30 a.m., is at the end of your shift,
15 right?

16 A That's correct.

17 Q Okay. The cameras in the security -- sorry. The security
18 cameras in the parking lot, do you remember testifying about
19 them?

20 A Yes.

21 Q Okay. Well, let me ask you a few questions about that.
22 How is that you know that there are security cameras on the
23 light poles in the parking lot?

24 A Because at their station, I've seen them zoom in on
25 different cars out in the parking lot, if there was any

1 suspicious activity or something was going on. They can zoom
2 in to see, like, say, your tag number or anything or see if
3 there was any -- if there's anyone in the -- in that vehicle or
4 anything like that. And they're also -- I -- I believe I saw
5 some signs that were saying that security cameras was on the
6 posts or something like -- I didn't see that, but they all --
7 they have, like -- you know, at their desk, they were able to
8 turn them on or turn them off, depending on what they were --
9 what they were doing. And I've seen it on regular occasions of
10 them scanning the -- the entire parking lot area --

11 Q Okay.

12 A -- and different locations.

13 Q Sorry. So let me just back you up here. So when you say
14 you -- you've seen "them", who -- who are you talking about?

15 A Security.

16 Q Okay. And where is this location where you're seeing them
17 zooming in or -- or out?

18 A Their -- their security desk is in -- is in the front
19 corner of the building, as soon as you walk in. And behind
20 the -- the -- the plastic shield, if you were to walk behind it
21 or if you walked around it, there's -- you can pretty much get
22 a good glimpse of what they're watching or what they're looking
23 at.

24 Q Okay. And are you aware that there's security cameras on
25 the outside walls of the building facing into the parking lot?

1 A Yes, I do.

2 Q Right. And -- and what you're talking about is them
3 looking through those cameras, as far as you know, right?

4 A Yes, but also, for any vehicles that was parked out far
5 off, I've seen them, like, I said, zoom in. They would type
6 something on the -- on the computer, and it can go to that
7 exact spot. And they zoom -- and it can zoom in to wherever
8 car that was in that location. It can be -- it didn't have to
9 be directly in front of the building. It can be east or west
10 of it, but it was -- but it covered, like I say, it covered all
11 over.

12 Q Right. I -- I -- I underst -- I think I understand your
13 testimony, but the -- the cameras were on the side -- the wall
14 of the building, and then they could look out into the parking
15 lot, right?

16 A Yes. Yes. Yeah, they have those, too.

17 Q Okay. Well, let -- let me back up a little bit. Do you
18 know for a fact that there are cameras on light poles or some
19 other elevated -- some other elevated object that's out in the
20 parking lot itself?

21 A Yes, sir. Because I'm very -- I'm a very -- I'm an
22 observant person. And when I first started, I took the liberty
23 of looking around when I first started, and looked -- and --
24 and saw everything.

25 Q Okay.

1 A And I saw cameras on the poles.

2 Q Okay. So you have actually seen cameras on the poles?

3 A Correct.

4 Q And -- and what was it that you saw on the pole that make
5 you think -- made you think it was a camera?

6 A Because they -- because behind the lighting fixtures,
7 underneath, you -- you would see, like, little -- you could see
8 like lenses, those small, small lenses. And it's not on
9 directly pointing at you, or anything like that, but it covered
10 a -- a wide range.

11 Q Okay. Are you talking about something that looks like a
12 tinted glass ball or -- or what are you --

13 A Yes. Tinted, yes.

14 Q Okay. So you -- your testimony is that you've seen tinted
15 glass balls, and you -- you thought that they were cameras?

16 A Well, yes.

17 Q Okay. And then, is one of the tinted glass balls, you
18 know, looking right into the tent through this doorway here in
19 Union Exhibit 9?

20 A Yes. Yes, it is. But you couldn't see it from this
21 angle. You've have to turn -- if you were to turn it, like,
22 facing out from the -- from the tent, like, if you were coming
23 out of the tent, then you would see, there was -- there's a --
24 a several light posts there. And it can -- and it would see
25 the camera can see directly, like, in or angled.

1 Q Well, when the tent was up, did you ever actually walk
2 right up to the mailbox?

3 A No, I haven't.

4 Q Okay. So you've never been inside there to see out, you
5 know, to see what you could see from there?

6 A Correct.

7 Q Okay. And let me just ask you a -- a last few questions
8 about the mailbox.

9 A Sure.

10 Q And so the -- it's true that the -- Amazon sent you texts
11 about the mailbox, right?

12 A That's correct.

13 Q Okay. And let me --

14 MR. JOHNSON: Let's turn to Union Exhibit 7.

15 HEARING OFFICER MEYERS: Mr. Bailiff?

16 MR. JOHNSON: If we can, Madam Hearing Officer.

17 Q BY MR. JOHNSON: Okay. And tell me if you can see that,
18 Mr. Jackson? I know you're on your cell phone.

19 A Yes, I -- I -- I can see it.

20 Q Okay. And so tell me when you're ready to talk about it?

21 A Oh, I'm ready.

22 Q Okay. I just wanted to make sure you're ready. All
23 right. So if you go down to the bottom paragraph --

24 A Uh-huh.

25 Q -- that says, a -- "A word from BHM1 leadership. You may

1 have noticed a tent outside the BHM1 entrance. The U.S. Postal
2 Service has installed an official secure mailbox at BHM1 which
3 you can use to mail your ballot." You -- you got that text,
4 correct?

5 A That's correct.

6 Q Okay.

7 MR. JOHNSON: Hold -- if I can confer with Counsel for
8 just a moment?

9 HEARING OFFICER MEYERS: Yes.

10 MR. JOHNSON: Okay. So I am going to turn over to Mr.
11 Broderdorf, as we usually do, but we're now doing it in reverse
12 sequence this time.

13 THE WITNESS: Okay.

14 MR. JOHNSON: Thank you, Mr. Jackson, for your time today.

15 THE WITNESS: No problem.

16 MR. BRODERDORF: Hi, Mr. Jackson.

17 We can take down the exhibits, please.

18 **CROSS-EXAMINATION**

19 Q BY MR. BRODERDORF: Hi, Mr. Jackson. My name is David
20 Broderdorf. I'm an attorney for Amazon as well, and I have
21 some --

22 A Okay.

23 Q -- additional questions for you.

24 A Sure.

25 Q Thank you. You testified that at one point in February,



1 you had a what you called an "off-the-record" conversation with
2 someone who, you said, was an ER representative; do you recall
3 that testimony?

4 A Yes. Yes, sir.

5 Q And have you -- have you ever -- did you ever see that --
6 that person before you had that conversation?

7 A No, I haven't. I was working overtime that day.

8 Q So you were working overtime, so you had never seen her
9 before?

10 A No.

11 Q Do you know her name?

12 A No. I didn't ask.

13 Q Could you describe what he -- or -- excuse me, what she
14 looks like?

15 A She was Caucasian, looks like in her -- could be, like
16 mid-30s to early 40s. She had -- she had her hair in a
17 ponytail. She had sort of like a -- she wore jeans and a --
18 sort of like a flannel-like dress shirt, something like that.

19 Q And when she came, or when you saw her, did -- did she
20 know who you were? Did she say, Mr. -- Mr. Jackson, or Kevin,
21 I need to speak with you?

22 A No. She just saw me because I was standing in the area
23 because I was telling a few people to make sure that they were
24 six feet. And she -- when she -- when she walked towards me, I
25 thought that she was going to go take the stairs to go down,

1 but she approached as if to ask a question.

2 Q And you were in -- are you in an open area at this time?

3 A Yes, I was.

4 Q And are you working or was this a break time?

5 A I was working.

6 Q And you testified that she used the phrase "off the
7 record". Is that -- is that a term that -- that's used at
8 Amazon a lot? Had you ever heard of that term "off the record"
9 before?

10 A No. She just used it.

11 Q So what did you understand that to mean?

12 A She wanted to know what, to my opinion, she wanted to
13 know -- she wanted to just keep it between us, that it wasn't
14 going to go any further than where we were.

15 Q And you testified that you didn't give her any opinions or
16 any information, correct?

17 A I didn't.

18 Q You just mentioned, I think you said, a bible verse?

19 A I said I -- I said a bible verse twice.

20 Q And --

21 A And --

22 Q Yeah. Go ahead, Mr. Jackson.

23 A The first time, she said, that's not the answer that I was
24 expecting or looking for. And then -- and then she said it
25 again, she said, well, just -- she said, once again, off the

1 record, she said I just -- just want to know how you feel about
2 it. And I said the bible verse again, and then she was sort
3 of, like, frustrated with my answer, so she just walked off.

4 Q So she walked off, and then you -- you went about your
5 business?

6 A Yes, I was still standing in my -- in my -- at my post. I
7 was posted in that area, so I was still standing. And that's
8 when some employees were coming down the hallways and witnessed
9 it. And they were saying that did she ask -- was she talking
10 to you about the Union, and I told them yeah, or at least, she
11 wanted to know. And I told them that I didn't reveal anything.

12 Q And that was the end of your conversation with her?

13 A That was, yes, with the -- with the employees, yes.

14 MR. BRODERDORF: I just need to confer for a minute.

15 HEARING OFFICER MEYERS: All right. Take your time.

16 Q BY MR. BRODERDORF: Mr. Jackson, I do have -- I do have
17 one follow-up question for you, and --

18 A Sure.

19 Q -- I certainly want to make sure that you understand the
20 question --

21 A Okay.

22 Q -- and that ul -- ultimately, we don't want to get into
23 specifics as it relates to your recent hospitalization --

24 A Uh-huh.

25 Q -- or any specific treatments or other -- other issues, so

1 that's not what I -- what I'm going to ask about. But are
2 you -- are you currently taking any medication that can affect
3 your memory or recollection at all?

4 A No. None of my --

5 Q No?

6 A No. None of my medi -- none of my medications has that
7 side effect.

8 Q Okay. Thank you very much for answering that question.

9 A Okay.

10 MR. BRODERDORF: And with that, I -- I believe we're all
11 set. And I, again, appreciate your time testifying --

12 THE WITNESS: No problem.

13 MR. BRODERDORF: -- today, Mr. Jackson. Thank you.

14 THE WITNESS: And you do the same.

15 HEARING OFFICER MEYERS: Does the Union have any cross-
16 exam -- or redirect?

17 MR. ROUCO: Hear -- Madam Hearing Officer, may I have just
18 two minutes to confer with Mr. Davies?

19 HEARING OFFICER MEYERS: You may. We'll be off the record
20 for two minutes, which will take you to noon your time.

21 (Off the record at 11:58 a.m.)

22 MR. ROUCO: Thank you, Madam Hearing Officer. I -- I do
23 have just a -- just a couple of follow-up questions.

24 HEARING OFFICER MEYERS: Okay. Please proceed.

25

REDIRECT EXAMINATION



1 Q BY MR. ROUCO: Mr. Jackson --

2 A Uh-huh.

3 Q -- do you recall whether you shared your observations that
4 you've testified here today, of security guards with keys to
5 the mailbox; did you share that with other coworkers?

6 A No, I kept it to myself.

7 Q Now, if you look at Union Exhibit --

8 MR. ROUCO: Can we put Union Exhibit Number 7? Well,
9 actually, you know what? Yeah, I think it's Union 7.

10 HEARING OFFICER MEYERS: Mr. Bailiff, can you put up Union
11 7, please?

12 MR. ROUCO: If you -- scroll down to the bottom, please?

13 Q BY MR. ROUCO: You were asked questions, Mr. Jackson, by
14 Mr. Johnson, regarding Union Exhibit 7.

15 A Yes.

16 Q You -- do you see -- can you read the last -- can you read
17 the last sentence of the bottom text?

18 A Yes, it says, "Only the U.S.P.S. has the key to access the
19 outgoing mail, including your ballot."

20 Q Okay. Was that consistent with your observations?

21 MR. JOHNSON: It speaks for itself.

22 Q BY MR. ROUCO: Was -- I mean, your observations, is it --

23 HEARING OFFICER MEYERS: Overruled --

24 MR. ROUCO: I'm sorry.

25 HEARING OFFICER MEYERS: Can I -- can I rule on his

1 objection?

2 MR. ROUCO: I -- I didn't hear the objection. I
3 apologize.

4 HEARING OFFICER MEYERS: Mr. Johnson, do you want to
5 repeat your objection so that Mr. Rouco knows what I'm ruling
6 on?

7 MR. JOHNSON: Right. It's the document speaks for itself.

8 HEARING OFFICER MEYERS: I'm going to overrule that
9 objection. He's -- he's getting the witness' impression of it,
10 he's not asking him for the meaning of the document.

11 Please proceed.

12 Q BY MR. ROUCO: Mr. Jackson, you -- the last sentence
13 there, is that consistent with what you have testified to and
14 what you observed?

15 MR. JOHNSON: Argumentative.

16 HEARING OFFICER MEYERS: Sustained.

17 A Yes.

18 HEARING OFFICER MEYERS: Sustained. Mr. Jackson, I'm
19 ruling on -- I sustained the objection.

20 THE WITNESS: Oh, I'm sorry.

21 HEARING OFFICER MEYERS: I agree that it was
22 argumentative.

23 MR. ROUCO: All right. Fair enough. I -- I with --
24 right. I withdraw. That's fine. I'm done with this witness,
25 thank you.

1 HEARING OFFICER MEYERS: Okay. Mr. Jackson, thank you so
2 much for coming. We appreciate your time, especially at --
3 while you're not feeling well. I just want to remind you that
4 the rule of sequestration is in effect. Please don't discuss
5 your testimony with anyone, even after you've testified, until
6 the close of the hearing. Okay?

7 THE WITNESS: Yes, ma'am. Thank you.

8 HEARING OFFICER MEYERS: Thank you, sir. You have a nice
9 afternoon.

10 THE WITNESS: And you do the same.

11 HEARING OFFICER MEYERS: I hope you feel better.

12 THE WITNESS: Uh-huh. Thank you. Um-hum. Bye-bye.

13 HEARING OFFICER MEYERS: Bye-bye.

14 Mr. Rouco, will you have any more witnesses this -- today?

15 MR. ROUCO: I -- I have no more witnesses for this
16 afternoon.

17 HEARING OFFICER MEYERS: Okay.

18 MR. ROUCO: So we do have documents if you want to go
19 through that now, or we can wait up on that.

20 HEARING OFFICER MEYERS: Yeah, let's do -- let's do that,
21 since we've got plenty of time.

22 MR. ROUCO: Okay. I'll turn this over -- I'll turn it
23 over to Mr. Davies, because I think he was the one that
24 marked -- he's marked, and I believe the -- the exhibits have
25 been --

1 HEARING OFFICER MEYERS: Have they been uploaded?

2 MR. ROUCO: -- uploaded.

3 MR. DAVIES: Yes, they -- they have been uploaded to
4 SharePoint. It's Exhibits U-20 through U-30. And we can go
5 through them, you know, one by one to introduce them into the
6 record. I don't intend to -- I mean, they're email chains.

7 HEARING OFFICER MEYERS: Do you want to take -- can we
8 take -- can we take 20, 30 minutes, and let Mr. Johnson and
9 Employer's Counsel go through these and see whether we can
10 stipulate to the admission as opposed to going through each
11 document? I -- I assume the email chains speak for themselves.

12 MR. JOHNSON: I think that makes a lot of sense.

13 HEARING OFFICER MEYERS: Okay.

14 MR. DAVIES: Excuse me?

15 MR. JOHNSON: I -- I think that makes a lot of sense,
16 George. That we -- just let us look at them and --

17 MR. DAVIES: That's fine. Yeah, of course.

18 HEARING OFFICER MEYERS: Okay. So do you want to take --
19 do you think 20 minutes? It's 20 documents, but do you think
20 you need that much time, Harry? How much time do you think you
21 need?

22 MR. DAVIES: Okay. How about 20 minutes, and then -- then
23 I'll tell you if that's not --

24 HEARING OFFICER MEYERS: Okay. Well, let's just go to --
25 let's go to 1:30 my time, 12:30 Central time, whatever time --

1 10:30 your time, Mr. Johnson. And you all take your time to --
2 to go through the documents.

3 When we come back at -- at 12 -- or 1:30, 12:30, whatever
4 time it is, on the half hour, you can tell me if you need more
5 time. Does that work?

6 MR. JOHNSON: That sounds fair, thank you.

7 HEARING OFFICER MEYERS: Excellent. We'll be in recess
8 until 1:30 Eastern time, 12:30 Central time. Thank you.

9 MR. DAVIES: Thank you.

10 HEARING OFFICER MEYERS: Off the record.

11 (Off the record at 12:04 p.m.)

12 HEARING OFFICER MEYERS: In an off-the-record discussion,
13 the parties have reached a stipulation with regards to Union's
14 20 through 29. The parties stipulate that these are authentic
15 documents and are being presented -- I think we can say they're
16 being presented as authentic documents, either documents
17 between Amazon and U.S.P.S., and they -- they're all documents
18 between U.S.P.S., Union 20 -- 20 through 29; is that correct,
19 produced?

20 MR. JOHNSON: Well --

21 MR. DAVIES: Yes. They -- they're documents. Some of
22 them are between only Postal Service employees, and some of
23 them are between Postal Service employees and Amazon employees.

24 HEARING OFFICER MEYERS: Okay. But they're --

25 MR. DAVIES: But they --

1 HEARING OFFICER MEYERS: -- but these were all -- these
2 were all produced by the U.S. Postal Service?

3 MR. DAVIES: Yes, Madam Hearing Office and they -- they
4 relate to the mailbox issue.

5 HEARING OFFICER MEYERS: Okay. So the parties are -- are
6 willing to stipulate to the authenticity of these documents
7 that were produced in response to a subpoena by the United
8 States Post -- Postal Service; is that a fair representation,
9 for the Employer, Mr. Johnson?

10 MR. JOHNSON: Yes, Madam Hearing Officer.

11 HEARING OFFICER MEYERS: And for Mr. Davies?

12 MR. DAVIES: Yes, Madam Hearing Officer.

13 HEARING OFFICER MEYERS: All right. With that said, I
14 will admit into evidence Union's 20 through 29 for the -- and
15 the stipulation only goes to authenticity and admissibility.
16 The parties are free to argue what weight it should be given in
17 their briefs.

18 **(Union Exhibit Numbers 20 through 29 Received into Evidence)**

19 HEARING OFFICER MEYERS: So with that said, and with
20 representation that there are no further witnesses for today,
21 we will recess today, to reconvene on Monday, at 10 a.m.
22 Eastern time, which would be 9 a.m. Central time.

23 Any other housekeeping matters before we go off the record
24 today?

25 MR. DAVIES: Yes, Madam Hearing Officer. Two things.

1 First, with respect to the -- the witness that Richard promised
2 there would only be one witness, and we're going to try to
3 stick with his promise, that person can be available at 10:30
4 Central time on -- on Monday, not -- not before.

5 MR. JOHNSON: Let's start then.

6 HEARING OFFICER MEYERS: Let's start at 10:30 so we don't
7 just have to start -- and so we don't sit there. So we will
8 start 10:30 Central time?

9 MR. DAVIES: That's when the witness can be available.

10 MR. ROUCO: Yeah, it's 11:30 Eastern.

11 MR. DAVIES: 11:30 Eastern time, I'm just -- since I'm in
12 the Central time zone --

13 HEARING OFFICER MEYERS: Right.

14 MR. DAVIES: I use Central time zone.

15 HEARING OFFICER MEYERS: And you cannot persuade your
16 witness to appear at 10:00 or 9:00?

17 MR. DAVIES: Let me try. Let me try. Let me try to get
18 him in at 10.

19 HEARING OFFICER MEYERS: All right. With that said, I --
20 I think we will recess until 9 a.m. Central time.

21 In the meantime, if you will see if the witness can appear
22 then. If not, can you send an email to all of the attorneys,
23 to the Board agent or to the hearing officer, that's me, and to
24 the bailiff? You -- you should be notified before -- at the
25 close of the hearing who the next bailiff is. If you could

1 send an email to everyone, and I will make sure that the court
2 reporter knows. And I guess we will log in and let the parties
3 know if we have to wait for the witness or let the observers --
4 the nonparty observers, know. But I'd like to try to start
5 earlier so we can get more done by Wednesday.

6 MR. DAVIES: Okay.

7 HEARING OFFICER MEYERS: Rather than less.

8 Will the Employer be ready to proceed on Monday afternoon,
9 Mr. Johnson?

10 MR. JOHNSON: Yes, the Employer will be ready to proceed.

11 HEARING OFFICER MEYERS: Excellent. And in the meantime,
12 if there are documents that you plan to present, is there
13 any -- if there is any way possible, if you could share them
14 with the Union so that we could possibly reach a stipulation
15 and not have to go through the laborious prospect of -- of
16 going through another 60 pictures. If we can stipulate them,
17 let's stipulate them. You can -- that way, you can use them
18 with your witnesses, and we don't waste time on the record.

19 With that said, we will be in recess until 10 a.m. Eastern
20 Standard Time, 9 a.m. Central time, unless we hear from the
21 Union that their witness will not be available until later.

22 With that, we are in recess until 9 a.m. Central, Monday
23 morning, the 17th of May. Off the record.

24 **(Whereupon, the hearing in the above-entitled matter was**
25 **recessed at 12:38 p.m. until Monday, May 17, 2021 at 10:00**

1 **a.m.)**
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

C E R T I F I C A T I O N

This is to certify that the attached proceedings, via Zoom videoconference, before the National Labor Relations Board (NLRB), Region 10, Case Number 10-RC-269250 Amazon.com Services, LLC and Retail, Wholesale and Department Store Union, held at the National Labor Relations Board, Region 10, Peachtree Summit Federal Building, 401 W. Peachtree Street, NE, 401 W. Peachtree Street, NE, Suite 2201, Atlanta, Georgia 30308, on May 14, 2021, at 10:28 a.m. was held according to the record, and that this is the original, complete, and true and accurate transcript that has been compared to the reporting or recording, accomplished at the hearing, that the exhibit files have been checked for completeness and no exhibits received in evidence or in the rejected exhibit files are missing.


MICHELLE MORALES

Official Reporter